

REMARKS

In accordance with the foregoing, claims 1, 4, 7, and 10 are amended. No new matter is added. Claims 1-10 are pending and under consideration.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

In the outstanding Office Action, claims 1-10 are rejected under 35 U.S.C. §102(e) as being anticipated by the U.S. Patent Application Publication 2002/0133387 to Wilson et al. (hereinafter "Wilson").

In the response filed December 7, 2006, Applicant argued that Wilson fails to teach or suggest all the features of the claims because

- the operations recited in claim 1 are performed by the customer and the management unit, while in Wilson the system has at least three parties involved (i.e., the customer, client, and promising engine); and
- Wilson requires the geographic location information, while claim 1 emphasizes the timing/volume aspect within the supply chain.

Applicant amends independent claim 1 herewith to recite that the customer is provided with "shipment guarantee information from said management unit according to product availability information provided by a production management system" and that "the management unit sends an allocation confirmation to the customer and a shipping order to a distribution management system." The claim amendments are fully supported by the originally filed specification and claims, for example see FIGS. 1A, 1B and 2.

The amended claim language emphasizes the distinction between Wilson and claim 1. That is, Wilson's system intermediates product allocation for already existing products stored in warehouses, such as in a shipping system and therefore the geographic location information is crucial. The method of claim 1 differs from Wilson because it intermediates ordering products, which may not have been yet produced but will be available at a certain future date, by intermediating communication between a customer, a production management system and a distribution management system. Therefore claim 1 and claims 2 and 3 depending from claim 1, patentably distinguish over Wilson.

Wilson does not anticipate claim 4 and claims 5 and 6 depending from claim 4 at least because claim 4 recites:

- providing the customer with shipment guarantee information from said management unit according to product availability information provided by a production management system, which said shipment guarantee information includes at least a deliverable volume of said products provisionally allocated to be delivered by an appointed delivery date according to said requirement information; and
- formally allocating a shipment volume for said products corresponding to said shipment guarantee information, by the management unit, based on said formal order-receiving information wherein the management unit sends an allocation confirmation to the customer and a shipment order to a distribution management system.

Claim 7 and claims 8 and 9 depending from claim 7 are patentable at least because Wilson fails to teach or suggest:

- providing the customer with shipment guarantee information from said management unit according to product availability information provided by a production management system, which shipment guarantee information includes at least a deliverable volume of said products provisionally allocated to be delivered by an appointed delivery date according to said requirement information; and
- formally allocating a shipment volume for said products by the management unit, shipment volume corresponding to said shipment guarantee information based on said received formal order-receiving information wherein the management unit sends an allocation confirmation to the customer and a shipping order to a distribution management system.

Claim 10 is patentable at least because Wilson fails to teach or suggest a processing unit comprising a user-interface, an allocation unit in communication with a production manager system, and a formal allocation unit that allocates a volume of products of according to the shipment guarantee information and the formal order-receiving information, and to sends an allocation confirmation to the customer and a shipping order to a distribution management system.

CONCLUSION

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

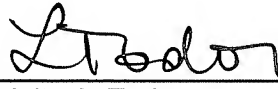
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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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